

DECLARATION

As a below named inventor, I declare that:

My residence, post office address and citizenship are as stated below next to my name; I believe I am the original, first and sole
inventor (if only one name is listed below) or an original, first and joint inventor (if plural inventors are named below) of the subject
matter which is claimed and for which a patent is sought on the invention entitled: Method, Systems and Software for Identifying
Functional Bio-Molecules the specification of which is attached hereto or _X was filed on July 29, 2003 as Application No.
10/629,351, and was amended on (if applicable).

I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above. I acknowledge the duty to disclose information, which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56.

I hereby claim the benefit under Title 35, United States Code §119(e) of any United States provisional application(s) listed below:

Application No.	Filing Date

I claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

Application No.	Date of Filing	Status
10/379,378	March 3, 2003	Pending

Full Name of	Full Name:		
Inventor 1:	Claes Gustafsson		
Residence &	City:	State/Foreign Country:	Country of Citizenship:
Citizenship:	Belmont	California	Sweden
Post Office	Post Office Address:		
Address:	1813 Bayview Avenue, B	elmont, California 94002	
Full Name of	Full Name:		
Inventor 2:	Sridhar Govindarajan		
Residence &	City:	State/Foreign Country:	Country of Citizenship:
Citizenship:	Redwood City	California	India
Post Office	Post Office Address:		
Address:	530 Osprey Drive, Redw	ood City, California 94065	
Full Name of	Full Name:		
Inventor 3:	Robin A. Emig		
Residence &	City:	State/Foreign Country:	Country of Citizenship:
Citizenship:	Redwood City	California	United States of America
Post Office	Post Office Address:		· · · · · · · · · · · · · · · · · · ·
Address:	1405 Marshall Street, Ap	ot. 715, Redwood City, California 94	063

Inventor 4:	Richard John Fox	la m	10
Residence &	City:	State/Foreign Country:	Country of Citizenship:
Citizenship:	Redwood City	California	United States of America
Post Office	Post Office Address:		
Address:	1	dwood City, California 94061	
Full Name of	Full Name:		
Inventor 5:	Ajoy K. Roy	~~~~ ~	
Residence &	City:	State/Foreign Country:	Country of Citizenship:
Citizenship:	Redwood City	California	United States of America
Post Office	Post Office Address:		
Address:		t. 120, Redwood City, California 94	063
Full Name of	Full Name:		
Inventor 6:	Jeremy S. Minshull		
Residence &	City:	State/Foreign Country:	Country of Citizenship:
Citizenship:	Los Altos	California	United Kingdom
Post Office	Post Office Address:		
Address:	679 Los Ninos Way, Los A	Altos, California 94022	
Full Name of	Full Name:		
Inventor 7:	S. Christopher Davis		
Residence &	City:	State/Foreign Country:	Country of Citizenship:
Citizenship:	San Francisco	California	United Kingdom
Post Office	Post Office Address:		
Address:	104 Winfield Street, San l	Francisco, California 94110	
Full Name of	Full Name:		
Inventor 8:	Anthony R. Cox		
Residence &	City:	State/Foreign Country:	Country of Citizenship:
Citizenship:	Mountain View	California	United Kingdom
Post Office	Post Office Address:		
Address:	1730 Plaza Court, Mount	ain View, California 94040	
Full Name of	Full Name:		
Inventor 9:	Phillip A. Patten		
Residence &	City:	State/Foreign Country:	Country of Citizenship:
Citizenship:	Portola Valley	California	United States of America
Post Office	Post Office Address:		
Address:	261 La Cuesta Drive, Por	tola Valley, California 94028	
Full Name of	Full Name:		
Inventor 10:	Linda A. Castle		
Residence &	City:	State/Foreign Country:	Country of Citizenship:
Citizenship:	Mountain View	California	United States of America
Post Office	Post Office Address:		
Address:	784 Hans Avenue, Mount	ain View, California 94040	
Full Name of	Full Name:	`	
Inventor 11:	Daniel L. Siehl		
Residence &	City:	State/Foreign Country:	Country of Citizenship:
Citizenship:	Menlo Park	California	United States of America
Post Office	Post Office Address:		
Address:	310 Durham Street, Menl	o Park, California 94025	
Full Name of	Full Name:		
inventor 12:	Rebecca Lynne Gorton		
Residence &	City:	State/Foreign Country:	Country of Citizenship:
Citizenship:	Irvine	California	United States of America
Post Office	Post Office Address:		
Address:	1240 Stanford, Irvine, Ca	116	

Full Name of	Full Name:		
Inventor 13:	Teddy Chen		
Residence &	City:	State/Foreign Country:	Country of Citizenship:
Citizenship:	Belmont	California	United States of America
Full Name of	Full Name:		
Inventor 13:	2820 Belmont Canyon	Road, Belmont, California 94002	

Signature of Inventor 1	Signature of Inventor 2	Signature of Inventor 3
Claes Gustaisson	Sridhar Govindarajan	Robin A. Emig
Date 03-03-204	Date	Date
<u></u>		
Signature of Inventor 4	Signature of Inventor 5	Signature of Inventor 6
Richard John Fox	Ajoy K. Roy	Jeremy S. Minshull
Date .	Date	Date
Due .	Date	Date
Signature of Inventor 7	Signature of Inventor 8	Signature of Inventor 9
S. Christopher Davis	Anthony R. Cox	Phillip A. Patten
Date	Date	Date
Signature of Inventor 10	Signature of Inventor 11	Signature of Inventor 12
Linda A. Castle	Daniel L. Siehl	Rebecca Lynne Gorton
Date	Date	Date
	Signature of Inventor 13	
	Teddy Chen	
	Date	
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Full Name of	Full Name:	To. \$		
Inventor 13:	Teddy Chen	To at		
Residence &	City:	& TRADENT	State/Foreign Country:	Country of Citizenship:
Citizenship:	Belmont		California	United States of America
Full Name of	Full Name:			
Inventor 13:	2820 Belmont	Canyon Road, Beln	nont, California 94002	

Signature of Inventor 1	Signature of Inventor 2	Signature of Inventor 3
Claes Gustafsson	Sridhar Govindarajan	Robin A. Emig
Date	Date 3 3 2004	Date
Signature of Inventor 4	Signature of Inventor 5	Signature of Inventor 6
Richard John Fox	Ajoy K. Roy	Jeremy S. Minshull
Date	Date	Date
Signature of Inventor 7	Signature of Inventor 8	Signature of Inventor 9
S. Christopher Davis	Anthony R. Cox	Phillip A. Patten
Date	Date	Date
Signature of Inventor 10	Signature of Inventor 11	Signature of Inventor 12
Linda A. Castle	Daniel L. Siehl	Rebecca Lynne Gorton
Date	Date	Date
	Signature of Inventor 13	
	Teddy Chen	
	Date	

Full Name of Inventor 13:	Full Name: TRADE		
Residence & Citizenship:	City: Belmont	State/Foreign Country: California	Country of Citizenship: United States of America
Full Name of Inventor 13:	Full Name: 2820 Belmont Canyon I	Road, Belmont, California 94002	

Signature of Inventor 1	Signature of Inventor 2	Signature of Inventor 3
Claes Gustafsson	Sridhar Govindarajan	Robin A. Emig
Date	Date	Date 1/16/04
Signature of Inventor 4	Signature of Inventor 5	Signature of Inventor 6
many		
Richard John Fox	Ajoy K. Roy	Jeremy S. Minshull
Date \ (2\$ 10")	Date	Date
Signature of Inventor 7	Signature of Inventor 8	Signature of inventor 9
S. Christopher Davis	Anthony R. Cox	Phillip A. Patten
Date 23th Depontor 2003	Date	Date 1-14-04 148
Signature of Inventor 10	Signature of Inventor 11	Signature of Inventor 12
Linda A. Castle	Daniel L. Siehl	Rebecca Lynne Gorton
Date 1-12-04	Date 9 NAN 2004	Date
	Signature of Inventor 13 Feldy Chen	
	Date 1-21-2004	

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Full Name of	Full Name:	3 /	
Inventor 13:	Teddy Chen	7	
Residence &	City:	State/Foreign Country:	Country of Citizenship:
Citizenship:	Belmont	California	United States of America
Full Name of	Full Name:		- ·
Inventor 13:	2820 Belmont Canyon Road	, Belmont, California 94002	

Signature of Inventor 1	Signature of Inventor 2	Signature of Inventor 3
Claes Gustafsson	Sridhar Govindarajan	Robin A. Emig
Date	Date	Date
Signature of Inventor 4	Signature of Inventor 5	Signature of Inventor 6
Richard John Fox	Ajoy K. Roy	Jeremy S. Minshull
Date	Date 1.22.04	Date
Signature of Inventor 7	Signature of Inventor 8	Signature of Inventor 9
S. Christopher Davis	Anthony R. Cox	Phillip A. Patten
Date	Date	Date
Signature of Inventor 10	Signature of Inventor 11	Signature of Inventor 12
Linda A. Castle	Daniel L. Siehl	Rebecca Lynne Gorton
Date	Date	Date
	Signature of Inventor 13	
	Teddy Chen	
	Date	

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Full Name of	Full Name: 💢	 	-
Inventor 13:	Teddy Chen	ant.	
Residence &	City:	State/Foreign Country:	Country of Citizenship:
Citizenship:	Belmont	California	United States of America
Full Name of	Full Name:		
Inventor 13:	2820 Belmont Canyon R	oad, Belmont, California 94002	

Signature of Inventor 2	Signature of Inventor 3
Sridhar Govindarajan	Robin A. Emig
Date	Date
Signature of Inventor 5	Signature of Inventor 6
Ajoy K. Roy	Jeremy S. Minshull
Date	Date 24 Fels 04
Signature of Inventor 8	Signature of Inventor 9
Anthony R. Cox	Phillip A. Patten
Date	Date
Signature of Inventor 11	Signature of Inventor 12
Daniel L. Siehl	Rebecca Lynne Gorton
Date	Date
Signature of Inventor 13	
Teddy Chen	
Date	
	Sridhar Govindarajan Date Signature of Inventor 5 Ajoy K. Roy Date Signature of Inventor 8 Anthony R. Cox Date Signature of Inventor 11 Daniel L. Siehl Date Signature of Inventor 13

Full Name of Inventor 13:	Full Name: Teddy Chen	nt.	
Residence & Citizenship:	City: Belmont	State/Foreign Country: California	Country of Citizenship: United States of America
Full Name of Inventor 13:	Full Name: 2820 Belmont Canyon Roa	nd, Belmont, California 94002	

Signature of Inventor 1	Signature of Inventor 2	Signature of Inventor 3
Claes Gustafsson	Sridhar Govindarajan	Robin A. Emig
Date	Date	Date
Signature of Inventor 4	Signature of Inventor 5	Signature of Inventor 6
Richard John Fox	Ajoy K. Roy	Jeremy S. Minshull
Date	Date	Date
Signature of Inventor 7	Signature of Inventor 8	Signature of Inventor 9
S. Christopher Davis	Anthony R. Cox	Phillip A. Patten
Date	Date 3/22/04	Date
Signature of Inventor 10	Signature of Inventor 11	Signature of Inventor 12
Linda A. Castle	Daniel L. Siehl	Rebecca Lynne Gorton
Date	Date	Date
	Signature of Inventor 13	
	Teddy Chen	_
	Date	

<u> </u>			
Full Name of	Full Name		· · · · · · · · · · · · · · · · · · ·
Inventor 13:	Teddy Cherry		
Residence &	City:	State/Foreign Country:	Country of Citizenship:
Citizenship:	Belmont	California	United States of America
Full Name of	Full Name:		
Inventor 13:	2820 Belmont Canyon Road,	Belmont, California 94002	

Signature of Inventor 1	Signature of Inventor 2	Signature of Inventor 3
Claes Gustafsson	Sridhar Govindarajan	Robin A. Emig
Date	Date	Date
Signature of Inventor 4	Signature of Inventor 5	Signature of Inventor 6
Richard John Fox	Ajoy K. Roy	Jeremy S. Minshull
Date	Date	Date
Signature of Inventor 7	Signature of Inventor 8	Signature of Inventor 9
S. Christopher Davis	Anthony R. Cox	Phillip A. Patten
Date	Date	Date
Signature of Inventor 10	Signature of Inventor 11	Signature of Inventor 12
Linda A. Castle	Daniel L. Siehl	Rebecca Lynne Gorton
Date Date	Date Date	Date 1-3-04
	Signature of Inventor 13	
	Teddy Chen	
	Date	

I hereby certify that this correspondence is being deposited with the United States Postal Service first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450,

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Attorney Docket No. MXGNP004X1/0311.310US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Claes Gustafsson, et al.

Application No: 10/629,351

Filed: July 29, 2003

For: Methods, Systems and Software for

Identifying Functional Biomolecules

Examiner: Not yet assigned

Art Unit: Not yet assigned

APPOINTMENT OF ASSOCIATE

ATTORNEY

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450 Mail-Stop: Missing Parts

Sir:

I hereby appoint Jeffrey K. Weaver, Reg. No. 31,314, James E. Austin, Reg. No. 39,489, Damon K. Kali, Reg. No. 50,541, and Roger S. Sampson, Reg. No. 44,314 to prosecute the application identified above, and to transact all business in the Patent and Trademark Office connected therewith.

Respectfully submitted,

April 7, 2004

MAXYGEN, INC.

Intellectual Property Department

515 Galveston Drive

Redwood City, California 94063

(650) 298-5300 (telephone) - (650) 298-5446 (facsimile)

Customer No: 30560

Attorney for Applicants

Reg. No. 38,459



POWER OF ATTORNEY OR AUTHORIZATION OF AGENT, NOT ACCOMPANYING APPLICATION

Application Number	10/629,351
Filing Date	July 29, 2003
First Named Inventor	Claes Gustafsson
Group Art Unit	Unassigned
Examiner Name	Unassigned
Attorney Docket Number	0311.310US

I hereby appoint:					
Practitioners at C	ustomer Number	30560			
		Type Customer Numbe	r Here		
OR					
Practitioner(s) nam	ed below:				
	Name		Registra	tion Number	
Norman J.	Kruse	3	5,235		
Sharon M.	Fujita	3	8,459		
Margaret A	A. Powers	3	39,804		
Joanne R.	Petithory .	4	2,995		
as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the Patent and Trademark Office connected therewith. Please change the correspondence address for the above-identified application to: The above-mentioned Customer Number. OR					business in the
Firm or Individual Name					
Address					
Address			· · · · · · · · · · · · · · · · · · ·		
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I am the Applicant. Assignee of record of the entire interest (Certificate under 37 CFR 3.73(b) is enclosed) SIGNATURE of Applicant or Assignee of Record					
· · · · · · · · · · · · · · · · · · ·	1				····
Name Michael	S. Rapson / Gen	eral Counsel & Senio	r Vice Preside	ent	
Signature /	lent Ru				
Date 3/1	0/04				
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PART A Minima de la lac		CERTIFICATE OF MAII	LING		
I hereby certify that this correspondence is being deposited with the United States as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, Mail-Stop: Missing Parts on this date: 4/7/04				ssed to:	
Typed or printed name		Diar	e D. Dunn		
Signature	Ware W	lu	Date	April 7	,2004



TEAT	D. O. WARK				Approved for	r use through 09/3	PTO/SB/96 (2-98) 0/02000. OMB 0651-0031
	THAUE	STATEM	ENT UND	ER 37 CFR			
Appl	icant: C	laes Gustafsso	n et al.				
Appl	ication No.:	10/629,351		F	iled:	July 29, 2	2003
Entit	led: Meth	ods, Systems a	nd Softwar	e for Identifyi	ng Func	tional Bio-	Molecules
Max	ygen, Inc.	!	, a	of Assignee, e.g., corpo	corpor		
atataa th	·	ssign ee)	(туре	or Assignee, e.g., corpo	rasion, partners	snip, university, go	vernment agency, etc.)
states th	7						
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The und the assi		nose title is supp 04- Date	olied below)	is empowered	to sign f		ent on behalf of
					ael S. Ra	abson	
				* *	or printe		_
				General C	<u>ounsel 8</u> حالتا	Senior VI	



ASSIGNMENT OF PATENT APPLICATION

JOINT

WHEREAS, Claes Gustafsson, 1813 Bayview Avenue, Belmont, California 94002; Sridhar Govindarajan, 530 Osprey Drive, Redwood City, California 94065; Robin A. Emig, 1405 Marshall Street, Apt. 715, Redwood City, California 94063; Richard John Fox, 163 Oakfield Avenue, Redwood City, California 94061; Ajoy K. Roy, 1321 Marshall Street, Apt. 120, Redwood City, California 94063; Jeremy S. Minshull, 679 Los Ninos Way, Los Altos, California 94022; S. Christopher Davis, 104 Winfield Street, San Francisco, California 94110; Anthony R. Cox, 1730 Plaza Court, Mountain View, California 94040; Phillip A. Patten, 261 La Cuesta Drive, Menlo Park, California 94028; Linda A. Castle, 784 Hans Avenue, Mountain View, California 94040; Daniel L. Siehl, 310 Durham Street, Menlo Park, California 94025; Rebecca Lynne Gorton, 788 Harrison Street, Apt. 819, San Francisco, California 94107; and Teddy Chen, 2820 Belmont Canyon Road, Belmont, California 94002, hereinafter referred to as "Assignors," are the inventors of the invention described and set forth in the below-identified application for United States Letters Patent:

Title of Invention: METHOD, SYSTEMS AND SOFTWARE FOR IDENTIFYING

FUNCTIONAL BIO-MOLECULES

Filing Date: March 3, 2003

Application No.: 10/379,378 ; an

WHEREAS, Maxygen, Inc., a Delaware corporation, located at 515 Galveston Drive, Redwood City, California 94063, hereinafter referred to as "ASSIGNEE," is desirous of acquiring an interest in the invention and application and in any U.S. Letters Patent and Registrations which may be granted on the same:

For good and valuable consideration, receipt of which is hereby acknowledged by Assignors, Assignors have assigned, and by these presents do assign to Assignee all right, title and interest in and to the invention and application and to all foreign counterparts (including patent, utility model and industrial designs), and in and to any Letters Patent and Registrations which may hereafter be granted on any patent application claiming priority from the same in the United States and all countries throughout the world, and which claim the priority from the application as provided by the Paris Convention. The right, title and interest is to be held and enjoyed by Assignee and Assignee's successors and assigns as fully and exclusively as it would have been held and enjoyed by Assignors had this Assignment not been made, for the full term of any Letters Patent and Registrations which may be granted thereon, or of any division, renewal, continuation in whole or in part, substitution, conversion, reissue, prolongation or extension thereof.

Assignors further agree that they will, without charge to Assignee, but at Assignee's expense, (a) cooperate with Assignee in the prosecution of U.S. Patent applications and foreign counterparts on the invention and any improvements, (b) execute, verify, acknowledge and deliver all such further papers, including applications and instruments of transfer, and (c) perform such other acts as Assignee lawfully may request to obtain or maintain Letters Patent and Registrations for the invention and improvements in any and all countries, and to vest title thereto in Assignee, or Assignee's successors and assigns.

Page 2 of 4 IN TESTIMONY WHEREOF, Assignors have signed his/her name on the date indicated. Dated: 06-02-03 Gustafsson SIGNATURE WITNESSED BY: (1) Date: 06-02-03 Signature of Witness 1 Dated: Sridhar Govindarajan SIGNATURE WITNESSED BY: (1) Date: Signature of Witness 1 SIGNATURE WITNESSED BY: (1) Date: $\frac{l_0}{l_0}$ $\frac{l_0}{l_0}$ Signature of Witness 1 Dated: 615/63 Richard John Fox

Signature of Witness 1

Assignment

Application No: 10/379,378

SIGNATURE WITNESSED BY:

(1) Date:

Assignment Application No: 10/379,378 Page 2 of 4

IN TESTIMONY WHEREOF, Assignors have signed his/her name on the date indicated.

Dated:	
	Claes Gustafsson
SIGNATURE WITNESSED BY:	
(1) Date:	
	Signature of Witness 1
Dated: 6 10 03	Sridhar Govindarajan
SIGNATURE WITNESSED BY:	()87
(1) Date: $C/10/63$	Signature of Witness 1
	7
Dated:	Robin A. Emig
SIGNATURE WITNESSED BY:	
(1) Date:	Signature of Witness 1
Dated:	
Dated.	Richard John Fox
SIGNATURE WITNESSED BY:	
(1) Date:	
· •	Signature of Witness 1

Dated: _ SIGNATURE WITNESSED BY: (1) Date: Signature of Witness 1 Dated: _ Jeremy S. Minshull SIGNATURE WITNESSED BY: (1) Date:_ Signature of Witness 1 SIGNATURE WITNESSED BY: (1) Date: 6 Signature of Witness 1 Dated: Anthony R. Cox SIGNATURE WITNESSED BY: (1) Date:_ Signature of Witness 1 Dated: __6_9.0 Phillip A. Patten SIGNATURE WITNESSED BY:

Signature of Witness 1

Assignment

Page 3 of 4

Application No: 10/379,378

(1) Date:_

Dated:	Ajoy K. Roy
SIGNATURE WITNESSED BY:	
(1) Date:	
Dated: 30 July 2003	Signature of Witness 1 Jeremy S. Minshull
SIGNATURE WITNESSED BY:	1 grall
(1) Date: 7 30 63	Signature of Witness 1
Dated:	S. Christopher Davis
SIGNATURE WITNESSED BY:	
(1) Date:	
	Signature of Witness 1
Dated:	
	Anthony R. Cox
SIGNATURE WITNESSED BY:	
(1) Date:	Signature of Witness 1
David	
Dated:	Phillip A. Patten
SIGNATURE WITNESSED BY:	
(1) Date:	
	Signature of Witness 1

Assignment Application No: 10/379,378 Page 3 of 4

Ajoy K. Roy SIGNATURE WITNESSED BY: (1) Date:____ Signature of Witness 1 Jeremy S. Minshull SIGNATURE WITNESSED BY: (1) Date:__ Signature of Witness 1 S. Christopher Davis SIGNATURE WITNESSED BY: (1) Date:_ Signature of Witness 1 Dated: ____16 | 6 | 0 = Anthony R. Cox SIGNATURE WITNESSED BY: CLAES GUSTAFASOL (1) Date: June 10, 7003 Witness 1 Dated: _ Phillip A. Patten SIGNATURE WITNESSED BY: (1) Date:___ Signature of Witness 1

Assignment

Page 3 of 4

Application No: 10/379,378

Assignment Application No: 10/379,378 Page 4 of 4	
Dated: 6/5/03	Linda A. Castle
SIGNATURE WITNESSED BY:	0 - 01
(1) Date: 6/5/03	Men Du
	Signature of Witness 1
Dated: 23 Jun 03	Daniel L. Siehl
SIGNATURE WITNESSED BY:	
(1) Date: $\frac{\langle u 23 0.3}{ }$	Signature of Witness 1
Dated: 6 - 20 - 63	Rebecca Lynne Gorton
SIGNATURE WITNESSED BY: (1) Date: 6/20/03	Dran ofen
(1) 2.10.	Signature of Witness 1
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Dated: <u>6-20-03</u>	Teddy Chen
	1 coay Chen
SIGNATURE WITNESSED BY:	.0.
(1) Date: 6/20/03	Whene Ellew

Signature of Witness 1